

REMARKS

This application has been reviewed in light of the Office Action mailed on August 22, 2003. Claims 1-12 are pending in the application with Claims 1, 6 and 11 being in independent form. By the present Amendment, the specification and Claims 1, 6 and 8-12 have been amended. Claim 7 has been canceled. No new matter or issues are believed to be introduced by the amendments.

In the Office Action, Claims 1-12 were rejected under 35 U.S.C. §112, second paragraph. Claims 1 and 6 have been amended in a manner which is believed to overcome the rejection. Accordingly, withdrawal of the rejection with respect to Claims 1-12 under 35 U.S.C. §112, second paragraph, is respectfully requested.

Claims 1, 3, 4, 6-9, 11 and 12 were rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,818,438 issued to Howe et al. on October 6, 1998 (“Howe et al.”); Claims 1-4 and 6-12 were rejected under 35 U.S.C. §102(e) as being anticipated by FR 794601 A; Claims 1-4 and 6-12 were rejected under 35 U.S.C. §102(e) as being anticipated by WO 00/05889; and Claims 1-4 and 6-12 were rejected under 35 U.S.C. §102(b) as being anticipated by WO 96/41478. Claim 7 has been canceled.

Independent Claims 1, 6 and 11 have been significantly amended to better define Applicant’s invention and to overcome the cited rejections. Claim 1, as amended, recites, *inter alia*:

A method for providing access to a consumer device (101), comprising the steps of:

allowing a user to obtain information with respect to at least one of a plurality of content providers (107, 108, 109) and to select a content provider (107, 108, 109) from said plurality of content providers (107, 108, 109), said information is obtained by selecting representations (202-207), wherein each representation provides information corresponding to at least one of the plurality

of content providers (107, 108, 109),
receiving a selection (203) of a content provider from among the plurality
of content providers (107, 108, 109), and
providing the selected content provider access to the consumer device
(101).

None of the cited references disclose or suggest the steps of allowing, receiving
and providing as recited by independent Claim 1. In particular, none of the cited
references disclose or suggest allowing a user to obtain information with respect to at least
one of a plurality of content providers and to select a content provider from the plurality
of content providers, where the information is obtained by selecting representations, where
each representation provides information corresponding to at least one of the plurality of
content providers; receiving a selection of a content provider from among the plurality of
content providers; and providing the selected content provider access to the consumer
device, as recited by Applicant's Claim 1.

Howe et al. discloses providing television services to a subscriber, but does not
disclose or suggest at least allowing a user to obtain information with respect to at least
one of a plurality of content providers and to select a content provider from the plurality
of content providers, as recited by Applicant's Claim 1. At least this argument applies to
the other cited references.

Independent Claims 6 and 11 recite similar limitations as the limitations recited by
independent Claim 1, and therefore the same arguments presented above for independent
Claim 1 apply to independent Claims 6 and 11.

Hence, withdrawal of the rejections under 35 U.S.C. §102(b) and (e) and allowance
of independent Claims 1, 6 and 11 are respectfully requested. Claims 2-5, 8-10 and 12
depend from Claims 1, 6 and 11, and therefore include the limitations of Claims 1, 6 and

11. Accordingly, for the same reasons given for Claims 1, 6 and 11, Claims 2-5, 8-10 and 12 are believed to contain patentable subject matter. Hence, withdrawal of the rejections under 35 U.S.C. §§102(b) and (e) and allowance of Claim 2-5, 8-10 and 12 are respectfully requested.

Claims 2, 5 and 10 were rejected under 35 U.S.C. §103(a) as being unpatentable over Howe et al. in view of U.S. Patent No. 5,812,769 issued to Graber et al. on September 22, 1998 (“Graber et al.”).

Claims 2, 5 and 10 depend from independent Claims 1 and 6, and therefore include the limitations of Claims 1 and 6. Accordingly, for the same reasons given for Claims 1 and 6, Claims 2, 5 and 10 are believed to contain patentable subject matter. Hence, withdrawal of the rejection under 35 U.S.C. §103(a) and allowance of Claims 2, 5 and 10 are respectfully requested.

In view of the foregoing amendments and remarks, it is respectfully submitted that all claims presently pending in the application, namely, Claims 1-6 and 8-12, are believed to be in condition for allowance and patentably distinguishable over the art of record.

If the Examiner should have any questions concerning this communication or feels that an interview would be helpful, the Examiner is requested to call Frank Keegan, Esq., Intellectual Property Counsel, Philips Electronics North America, at 914-333-9669.

Respectfully submitted,



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